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Clerk of Court

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May 22, 2015

To: D. Greg Durbin
Steven M. Weinberg

From: Molly C. Dwyer, Clerk of Court
By: Theresa Hoang, Deputy Clerk

Re: Receipt of a Deficient Brief of Appellees on 05/21/2015

USCA No. 14-16949 E. & J. Gallo Winery v. Grenade
Beverage, LLC

The answering brief cannot be filed for the following reason(s):

- *Incorrect covers: Answering briefs must have red covers. See FRAP 32(a)(2). In addition, any document filed under seal shall have prominently indicated on its cover and first page the words "UNDER SEAL", pursuant to 9th Cir. R. 27-13(b).*
- *Brief and excerpts are unbound: The brief and excerpts of record must be securely bound on the left side to allow the document to lay reasonably flat when open. See 9th Cir. R. 30-1.6 and FRAP 32(a)(3). Please note that binder clips do not satisfy this requirement, and if staples are used, the excerpts must be stapled down the entire left side.*
- *Insufficient copies of brief and excerpts: An original and 7 copies of the brief are required. See 9th Cir. R. 31-1. Four copies of excerpts of record are required. See 9th Cir. R. 30-1.3, 30-1.7, and 30-1.8.*
- *Paper version of brief is not identical to electronic version: The paper version is not identical to the brief that was submitted electronically via ECF.*

- *Motions pending: Neither the brief nor excerpts of record can be filed until the Court makes a decision on the pending motions.*

Please submit 7 replacement copies of the answering brief and 4 paper copies of replacement excerpts of record in compliance with court rules after the pending motions have been ruled upon and a filed clerk order has been issued instructing you to do so.

When you submit corrections to your brief, **please return a copy of this letter.** If you don't submit your correction within 14 days of this notice, you must file a motion for leave to file a late brief. *See* 9th Cir. R. 31-2.3 re: Extensions of time for filing brief.